**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

TUESDAY, THE THIRD DAY OF MAY
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE GODA RAGHURAM**

-

WRIT PETITION No. 10837 of 2005

Between:

Gundlapalli Venkateshwarlu S/o. Kotaiah
Adavirajupalem Gram Panchayat, Gudlur Mandal,

Prakasam District.

..... PETITIONER

AND

1 The District Collector (PT wing) Ongole, Prakasam District.
2 The District Panchayat officer, Ongole.
3 The Divisional Panchayat officer, Kandukur, Prakasam District.
4 The Extension Officer, (PR & RD), Gudlur Mandal, Prakasam District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or Any other appropriate writ, Order or Direction declaring proceedings of 1st Respondent namely the District Collector (Pt Wing) Ongole, Dt. 25-4-2005 in ROC No. 1267/2004 (Pts) A.1, as illegal, arbitrary and unjust and without proper enquiry.

Counsel for the Petitioner : Mr.M.S.N.PRASAD

Counsel for Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission, made the following :

**ORDER:**

This writ petition is directed against the order dated 25.4.2005 of the first respondent placing the petitioner-Sarpanch of Adavirajupalem Gram Panchayat, Gudlur Mandal, Prakasam District under suspension pending enquiry under Section 249(6) of A.P. Panchayat Raj Act, 1994. The annexure to the impugned order states that on the basis of the report of the Divisional Panchayat officer, Kandukur dated 22.2.2005, it is prima facie found that there was material disclosing the commission of specified irregularities by the petitioner in the administration of the Gram Panchayat, which necessitated the exercise of powers under Section 249(6) of the A.P. Panchayat Raj Act, 1994.

The singular contention of the petitioner is that he has not been furnished with the copy of the report of the Divisional Panchayat Officer, Kandukur on the basis of which the prima facie satisfaction to take steps in suspending the petitioner pending enquiry was arrived at. There is no such requirement under Section 249 and none on general principles either. The basis for the writ petition is misconceived.

The writ petition is accordingly dismissed. There shall be no order as to costs.

_____

GODA RAGHURAM, J

Date: 3.5.2005

DA/KVSN

To

1 The District Collector (PT wing) Ongole, Prakasam District.
2 The District Panchayat officer, Ongole.
3 The Divisional Panchayat officer, Kandukur, Prakasam District.
4 The Extension Officer, (PR & RD), Gudlur Mandal, Prakasam District.

5 Two CCs to the G.P. for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad (OUT).

6 Two CD copies.